

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ORDER
08-CR-69S

QUENTIN LEEPER, et al.,

Defendants.

1. On April 28, 2008, this Court referred this case to the Honorable H. Kenneth Schroeder, Jr., United States Magistrate Judge, for all pretrial matters pursuant to 28 United States Code, Section 636(b)(1). (Docket No. 60.)

2. On August 12, 2009, Judge Schroeder filed a Report, Recommendation and Order, recommending that Defendants' Motions to Suppress be denied. (Docket Nos. 114 and 126.¹)

3 No objections to the Report, Recommendation and Order were received within ten (10) days from the date of its service, in accordance with 28 U.S.C. § 636(b)(1)(C) and Local Rule 72.3(a)(3).

4. This Court has thoroughly reviewed Judge Schroeder's Report, Recommendation and Order, the underlying papers, and the applicable law. Upon due consideration, this Court finds no legal or factual error in Judge Schroeder's Report, Recommendation and Order and will accept the recommendation in its entirety.

¹ Defendants Leeper and Newton filed motions to suppress. (Docket Nos. 114 and 126.) Thereafter, Defendants Hodnett, Maisonet, and Knight moved to join the motions. (Docket Nos. 123, 125, and 127.) This Court will grant the joinder motions nunc pro tunc to the date of the filing of the Report and Recommendation.

IT HEREBY IS ORDERED, that this Court accepts Judge Schroeder's Report, Recommendation and Order (Docket No. 160) in its entirety, including the authorities cited and the reasons given therein.

FURTHER, that Defendants' Joinder Motions (Docket Nos. 123, 125 and 127) are GRANTED *nunc pro tunc* to August 12, 2009.

FURTHER, that Defendants' Motions to Suppress (Docket Nos. 114 and 126) are DENIED.

FURTHER, that a status conference is scheduled for September 25, 2009 at 9:00 a.m.

SO ORDERED.

Dated: September 15, 2009
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge